REMARKS

Claims 1 through 6 are pending in this application and stand rejected. Favorable reconsideration of this application is respectfully solicited.

Acknowledgement is respectfully requested of the claim for priority and of the Information Disclosure Statement filed March 29, 2002. Consideration of the cited references is also requested.

Claims 1 through 6 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,319,527 (Murphy). Withdrawal of the rejection, in light of the following comments, is respectfully solicited. Independent claim 1 is reproduced below as follows:

> 1. An illuminating apparatus having a pointer adapted to be turned around a rotary shaft, a display member positioned on a rear side of the pointer and adapted to be transmission illuminated, light sources positioned on a rear side of the display member and in the vicinity of the rotary shaft and adapted to illuminate the display member, a reflector positioned on the rear side of the display member and provided with a reflecting portion, and a light guide member positioned on the rear side of the display member and adapted to guide the light from the light sources to the rear side of the display member, characterized in that a hollow portion is formed between a rear surface of the display member and reflector, an irradiation portion adapted to apply the light, which is reflected on the reflecting portion and illuminates the display member, to the interior of the hollow portion being provided on the light guide member.

Independent claims 2 and 3 recite similar subject matter.

The Office Action applies the reference to the claimed elements, stating that Murphy discloses a pointer (16) on rotary shaft (31), a display member (citing abstract) positioned on a rear side of the pointer and adapted to be transmission illuminated, and light sources (12) positioned on a rear side of the display member (citing abstract) and in the vicinity of the rotary shaft adapted to illuminate the display member (citing abstract). Murphy is said to disclose a reflector (19) positioned on the rear side of the display member (citing abstract) adapted to guide

(17) the light from the light sources to the rear side of the display member (citing abstract), characterized in that a hollow portion is formed between a rear surface of the display member (citing abstract) and reflector (19). Murphy is also said to disclose an irradiation portion adapted to apply the light, which is reflected on the reflecting portion (19) so as to illuminate the display member (citing abstract), to the interior of the hollow portion being provided on the light guide member (17).

It is submitted that the reflective surface (19) of pointer (16) of Murphy cannot fairly be equated with the claimed display member. Each of independent claims 1 through 3 require that the display member be positioned on a rear side of the pointer. This claim requirement corresponds to page 7, lines 7-8, of the specification, which describes a dial 3 constituting a display member, positioned at a rear side of the pointer 2. Claims 2 and 3, even more particularly recite "first light sources positioned on the rear side of the pointer" and "second light sources positioned on a rear side of the display member".

These claim limitations are not disclosed by Murphy. Contrary to the Office Action, Murphy does not teach "light sources (12) positioned on a rear side of the display member (see abstract) and in the vicinity of the rotary shaft (31) and adapted to illuminate the display member (see abstract)." Instead, Murphy teaches only a single light source (12) used in combination with a pointer reflective surface (19). Murphy does disclose plural light sources (e.g., col. 5, lines 57-64), but only with respect to a pointer bearing surface mounted LEDs. With respect to claims 2 and 3, it is submitted that the Office Action improperly relies upon "second light sources (184)". As shown in Fig. 16, light source (184) is a single light source used in a dial indicator embodiment (i.e., there is no pointer element). Anticipation is not established by selecting components from different embodiments to produce a new embodiment not originally disclosed.

It is further submitted that Murphy does not teach, as recited by claim 1, a "light guide member positioned on the rear side of the display member and adapted to guide the light from the light sources to the rear side of the display member". For this claimed feature, the Office Action relies upon an unspecified "light guide member . . . adapted to guide (17) the light". However, reference numeral (17) is the "exit surface" of the pointer (16) from which the light is emitted (see col. 2, lines 56-60). This exit surface (17) is not positioned *on the rear side of a display member* and is not adapted to guide the light *from the light sources to the rear side of the display member.*

With respect to claims 2 and 3, it is submitted that the Office Action improperly relies upon "a second light guide member or pointer arm (166) positioned on the rear side of the display member (see figs. 2, 4, 12) and adapted to guide the light from the second light sources (184) to the rear side of the display member". This position is predicated upon selecting components from several different embodiments of Murphy to produce a new embodiment that is neither disclosed nor suggested.

Accordingly, it is submitted that claims 1 through 6 are not anticipated by Murphy. Withdrawal of the rejection and allowance of the application respectfully solicited.